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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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KIRT ALLEN ESTHAY,

§

Plaintiff,

§

*versus*

§

CIVIL ACTION NO. 1:20-CV-60

CHASITY G. WALLACE, *et al.*,

§

Defendants.

§

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff, Kirt Allen Esthay, an inmate confined at the Neal Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § against several defendants.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this complaint be dismissed for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b) (docket entry no. 13).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.<sup>1</sup>

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<sup>1</sup> A copy of the Report and Recommendation was returned as undeliverable with the notation “offender refused” on June 25, 2020 (docket entry no. 14).

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Beaumont, Texas, this 21st day of September, 2020.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE